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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/662,000
Filing Date	09/12/2003
First Named Inventor	Chanduszko
Art Unit	3661
Examiner Name	
Attorney Docket Number	106586-185 US1

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>- Postcard |
|--|---|---|

**Remarks**

1. Form PTO-1449
2. 124 Patent Publications

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Michael A. Diener
Signature	
Date	6-24-04

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile-transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Jody Begley		
Signature		Date	6/24/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrzej J. Chanduszko  
Serial No.: 10/662,000  
Filing Date: September 12, 2003  
Title: PFO Closure Device with Flexible Thrombogenic Joint and Improved Dislodgement Resistance  
Examiner: Unknown  
Group Art Unit: 3661  
Attorney Docket No.: 106586.185 US1

**CERTIFICATE UNDER 37 C.F.R. 1.8(a)**

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6/24/04  
Date

Jody Begley

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §1.97, Applicant hereby makes of record the publications listed on the attached Form PTO-1449 and enclose copies herewith.

It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In this regard, it is requested that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next Patent Office Communication.

This submission does not represent that a search has been made and does not constitute an admission that the listed publications are material to patentability or that the listed publications are prior art.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed publications should the publications be applied against the claims of the present application.

It is Applicant's belief that the filing of this Information Disclosure Statement precedes the date of the mailing of the first Office Action on its merits, therefore, pursuant to 37 C.F.R. §1.97(b)(3), no fee is believed to be due.

In the event a fee is due, the Commissioner is authorized to charge any fee deficiency or credit any overpayment to Deposit Account No. 08-0219.

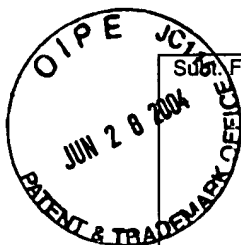
Respectfully submitted,

Dated: 6-24-04



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Sub. For, PTO-1449				Docket Number 106586.185 US1	Application Number 10/662,000
<b>INFORMATION DISCLOSURE IN AN APPLICATION</b> (Use several sheets if necessary)				Applicant <b>Andrzej J. Chanduszko</b>	
				Filing Date 09/12/2003	Group Art Unit 3661
Sheet	1	OF	5		

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	3,874,388	04/01/1975	King et al.	128	334	
	3,875,648	04/08/1975	Bone	29	417	
	4,006,747	02/08/1977	Kronenthal et al.	128	335	
	4,007,743	02/15/1997	Blake	128	334	
	4,425,908	01/17/84	Simon	128	1	
	4,696,300	09/29/1987	Anderson	128	334	
	4,836,204	06/06/1989	Landymore et al.	128	334	
	4,915,107	04/10/1990	Rebuffat et al.	606	144	
	5,021,059	06/04/1991	Kensey, et al.	606	213	
	5,037,433	08/06/1991	Wilk et al.	606	139	
	5,041,129	08/20/1991	Hayhurst et al.	606	232	
	5,108,420	04/28/1992	Marks	606	213	
	5,192,301	03/09/1993	Kamiya et al.	606	213	
	5,222,974	06/29/1993	Kensey, et al.	606	213	
	5,236,440	08/17/1993	Hlavacek	606	219	
	5,257,637	11/02/1993	El Gazayerli	128	898	
	5,282,827	02/01/1994	Kensey et al.	606	215	
	5,284,488	02/08/1994	Sideris	606	213	
	5,304,184	04/19/1994	Hathaway et al.	606	144	
	5,312,435	05/17/1994	Nash, et al.	606	213	
	5,334,217	08/02/1994	Das	606	213	
	5,354,308	10/11/1994	Simon, et al.	606	198	
	5,411,481	05/02/1995	Allen et al.	606	144	
	5,413,584	05/09/1995	Schulze	606	219	
	5,417,699	05/23/1995	Klein et al.	606	144	
	5,425,744	06/20/1995	Fagan et al.	606	213	
	5,433,727	07/18/1995	Sideris	606	213	
	5,451,235	09/19/1995	Lock et al.	606	213	

EXAMINER	DATE CONSIDERED
<b>EXAMINER:</b> Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	

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U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	5,478,353	12/26/1995	Yoon	606	213	
	5,507,811	04/16/1996	Koike et al.	623	11	
	5,540,712	07/30/1996	Kleshinski et al.	606	198	
	5,601,571	02/11/1997	Moss	606	139	
	5,618,311	04/08/1997	Gryskiewicz	606	216	
	5,634,936	06/03/1997	Linden et al.	606	213	
	5,683,411	11/04/1997	Kavteladze et al.	606	200	
	5,702,421	12/30/1997	Schneidt	606	213	
	5,709,707	01/20/1998	Lock et al.	606	213	
	5,720,754	02/24/1998	Middleman et al.	606	127	
	5,725,552	03/10/1998	Kotula et al.	606	213	
	5,733,294	03/31/1998	Forber et al.	606	151	
	5,741,297	04/21/1998	Simon	606	213	
	5,776,162	07/07/1998	Kleshinski	606	198	
	5,797,960	08/25/1998	Stevens et al.	606	213	
	5,810,884	09/22/1998	Kim	606	213	
	5,823,956	10/20/1998	Roth et al.	600	374	
	5,829,447	11/03/1998	Stevens et al.	128	898	
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	5,861,003	01/19/1999	Latson et al.	606	213	
	5,879,366	03/09/1999	Shaw et al.	606	213	
	5,893,856	04/13/1999	Jacob et al.	606	151	
	5,902,319	05/11/1999	Daley	606	219	
	5,904,703	05/18/1999	Gilson	606	213	
	5,919,200	07/06/1999	Stambaugh et al.	606	159	
	5,924,424	07/20/1999	Stevens et al.	128	898	
	5,944,738	08/31/1999	Amplatz et al.	606	213	
	5,976,174	11/02/1999	Ruiz	606	213	

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				Filing Date <b>09/12/2003</b>		Group Art Unit <b>3661</b>	
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U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	5,989,268	11/23/1999	Pugsley, Jr. et al.	606	144	
	5,993,475	11/30/1999	Lin et al.	606	213	
	6,010,517	01/04/2000	Baccaro	606	151	
	6,024,756	02/15/2000	Huebsch et al.	606	213	
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	6,214,029	04/10/2001	Thill et al.	606	213	
	6,217,590	04/17/2001	Levinson	606	142	
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	6,306,150	10/23/2001	Levinson	606	158	
	6,312,446	11/06/2001	Huebsch et al.	606	213	

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				Applicant <b>Andrzej J. Chanduszko</b>			
				Filing Date <b>09/12/2003</b>		Group Art Unit <b>3661</b>	
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U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	6,319,263	11/20/2001	Levinson	606	144	
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	6,352,552	03/05/2002	Levinson et al.	623	1.15	
	6,355,052	03/12/2002	Neuss et al.	606	213	
	6,364,853	04/02/2002	French et al.	604	35	
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	6,379,342	04/30/2002	Levinson	604	310	
	6,379,368	04/30/2002	Corcoran et al.	606	153	
	6,387,104	05/14/2002	Pugsley, Jr., et al.	606	139	
	6,398,796	06/04/2002	Levinson	606	144	
	6,440,152	08/27/2002	Gainor et al.	606	213	
	6,460,749	10/08/2002	Levinson et al.	227	180.1	
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	6,494,888	12/17/2002	Laufer, et al.	606	153	
	2001/0034537	10/25/2001	Shaw et al.	606	213	
	2001/0037129	11/01/2001	Thill	606	213	
	2001/0044639	06/15/2001	Levinson	606	228	
	2001/0049492	12/06/01	Frazier, et al.	604	104	
	2002/0010481	01/24/2002	Jayaraman	606	151	
	2002/0183787	06/01/2001	Wahr et al.	606	213	
	2002/0183786	05/30/2001	Girton	606	213	
	2002/0129819	01/19/02	Feldman et al	128	831	
	2002/0099389	03/21/2002	Michler et al.	606	139	
	2002/0043307	04/18/02	Ishida, et al.	148	411	
	2002/0032462	06/10/1999	Houser et al.	606	213	
	2002/0029048	08/31/2001	Miller	606	138	

EXAMINER	DATE CONSIDERED
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U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	2002/0077555	06/20/02	Schwartz	600	486	
	2003/0059640	03/27/2003	Marton et al.	428	544	

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 00/27292	05/18/2000	PCT	A61B	17/08		
	WO 01/49185	07/12/01	PCT	A61B	17/00		
	EP 1 013 227	06/28/00	EP	A61B	17/00		

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)		
A1	Nat'l Aeronautics and Space Administration, "55-Nitinol – The Alloy with a Memory: Its Physical Metallurgy, Properties, and Applications," A Report, pgs. 24-25	
A2	Kimura, A., et al., "Effects of Neutron Irradiation on the Transformation Behavior in Ti-Ni Alloys," Abstract, Proceedings of the Int'l Conf. On Martensitic Transformations (1992) pgs. 935-940	
A3	Ramanathan, G., et al., "Experimental and Computational Methods for Shape Memory Alloys," 15 <sup>th</sup> ASCE Engineering Mechanics Conf., June 2-5, 2003	
A4	Shabalovskaya, S., "Surface, corrosion and biocompatibility aspects of Nitinol as an implant material," Bio-Medical materials and Engineering, (2002) Vol. 12, pgs. 69-109	
A5	Uchil, J. "Shape Memory Alloys – Characterization Techniques," Pramana – Journal of Physics, (2002) Vol. 58, Nos. 5 & 6, pgs. 1131-1139	

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